

U.S. BANKRUPTCY COURT
District of South Carolina

FILED

MAY 16 2017

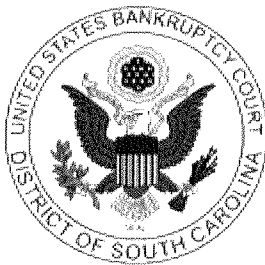
Case Number: 16-00819

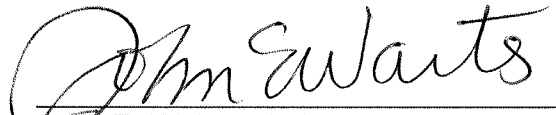
United States Bankruptcy Court
Columbia, South Carolina

The relief set forth on the following pages, for a total of 3 pages including this page,
is hereby **ORDERED**.

FILED BY THE COURT ON

5/16/17




John E. Waites, Judge
US Bankruptcy Court
District of South Carolina

ENTERED: _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:)	Bankruptcy No. 16-00819-jw
)	
Tony A. James and Carolina T. James,)	Chapter 13
)	
Debtors.)	SETTLEMENT ORDER
)	
_____)	

This matter comes before the Court on the Affidavit of Default and Request for Further 362 Hearing filed by S.C. State Federal Credit Union ("Movant"). The property or security which is the subject of the motion is described as follows:

420 Old Walnut Branch, North Augusta, South Carolina 29860

Upon the agreement of the parties, it is hereby ORDERED:

Debtors shall continue to abide by the terms of the settlement order entered on August 5, 2016. Failure to make a payment within 20 days from its due date shall be considered a default under the terms of this settlement order.

In the event of a default under the terms of this Order, relief from stay may be provided without further hearing upon the filing of an affidavit of default by Movant and the entry of the proposed order by the Court. Movant may then proceed with its state court remedies against its security, including making demand for payment of the amount due and communicating with Debtors regarding loss mitigation and other actions necessary to comply with applicable non-bankruptcy law. **This *ex parte* relief provision of this Order shall expire and no longer be effective 12 months from the expiration of the cure period set in the order entered August 5, 2016.**

The parties agree that the Fed. R. Bankr. P. 4001(a)(3) stay:

- ☐ is applicable to any order granting relief for default on this settlement order.
☒ is not applicable to any order granting relief for default on this Settlement Order.

Movant agrees to waive any claim arising under 11 U.S.C. §503(b) or § 507(b) as a result of this Order. In the even relief from the automatic stay is granted due to Debtors' default under the terms of this Settlement Order, Movant agrees that any funds received as a result of a lawful disposition of the security in excess of all liens, costs, and expenses will be paid to the Trustee.


AND IT IS SO ORDERED.

WE SO MOVE AND CONSENT:

SHERPY & JONES, P.A.

By: 


Sabrina E. Burgess
District Court ID #11494
Attorneys for S.C. State Federal Credit Union


V. Lee Ringler

District Court ID #4796
Attorney for the Debtors

CERTIFICATION:

Prior to consenting to this settlement order, the payment obligations set forth in this Order, including the amounts, method, and timing of payments, and consequences of default were reviewed with and agreed to by the Debtors or the party obligated to pay.


V. Lee Ringler

District Court ID #4796
Attorney for the Debtors